

**REMARKS**

The Office Action dated March 22, 2006 has been received and reviewed. This response is directed to that action. A Petition for a Three-Month Extension of Time is submitted herewith.

Claims 1 and 4 have been amended. Support for the amendments can be found throughout the specification and in the claims as originally filed. No new matter is believed to have been added.

The applicants respectfully request reconsideration in view of the foregoing amendments and the following remarks.

**Claim Rejections- 35 U.S.C. §112**

The Examiner rejected claims 1-6 under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Examiner noted that the claims were narrative in form and replete with indefinite language. Accordingly, claim 1 has been amended in this response to bring the claim into better form. The applicants submit that these amendments obviate this rejection.

**Claim Rejections- 35 U.S.C. §102**

The Examiner rejected claims 1-5 under 35 U.S.C. §102(b) as anticipated by Ogawa et al (US 4,420,512). The Examiner stated that Ogawa '512 teaches carbon fibers coated with a sizing agent that can comprise a mixture of two or more epoxy resins, and having a viscosity within the presently claimed range. The applicants respectfully traverse this rejection.

The applicants submit that the present invention is not anticipated by Ogawa '512 because Ogawa does not teach all of the limitations of the present invention. Specifically, Ogawa does not teach a sizing agent composition having an  $\alpha_{mn} \delta \beta_{mn} \delta$  of 0.07 to 0.2 after heat

USSN: 10/523,511

4

treatment in the presence of a curing agent. Accordingly, because Ogawa '512 does not teach or suggest this limitation of the present claims, a *prima facie* case of anticipation cannot be established, and the applicants respectfully request that the rejection be withdrawn.

The Examiner further rejected claims 1-2 and 4-5 under 35 U.S.C. §102(b) as anticipated by Ogawa et al. (US 5,167,945). Similar to the above mentioned rejection, the Examiner stated that Ogawa '945 teaches carbon fibers coated with a sizing agent that can comprise a mixture of two or more epoxy resins, and having a viscosity within the presently claimed range. Again, Ogawa '945 never discloses a sizing agent having an  $\alpha_{\tan \delta} \beta_{\tan \delta}$  of 0.07 to 0.2 after heat treatment in the presence of a curing agent. Moreover, Ogawa '945 only uses a single epoxy resin, not two or more, as required by the present claims. Therefore, the applicants submit that Ogawa '945 does not teach all of the limitations of the present claims, and respectfully request that the Examiner withdraw this rejection.

The Examiner rejected claim 1 under 35 U.S.C. §102(b) as anticipated by JP409254008A (abstract). The Examiner stated that the abstract teaches a sizing composition comprising at least two epoxy resins, thus anticipating the claim. The applicants respectfully submit that the abstract only generally teaches a sizing agent comprising two separate epoxy resins, but does not teach that the sizing agent has an  $\alpha_{\tan \delta} \beta_{\tan \delta}$  of 0.07 to 0.2 after heat treatment in the presence of a curing agent. Accordingly, all of the limitations of the present invention are not taught in the abstract, and the applicants respectfully request that the rejection be withdrawn.

#### Claim Rejections- 35 U.S.C. §103

The Examiner rejected claim 6 under 35 U.S.C. §103(a) as obvious over Ogawa '512 and Ogawa '945 in view of Kobayashi et al. (US 6,368,712). The applicants incorporate the

USSN: 10/523,511

5

arguments presented herein above with regard to Ogawa '512 and Ogawa '945, and submit that the teachings of Kobayashi do not remedy the deficiencies of the cited prior art. Accordingly, the applicants submit that the combination of Ogawa '512 or Ogawa '945 and Kobayashi does not teach or suggest all of the limitations of the present invention. The applicants, therefore, request that the Examiner withdraw this rejection.

The applicants believe the claims are in condition for allowance, and such favorable action is respectfully requested. If any issues remain, the resolution of which may be advanced through a telephone conference, the Examiner is invited to contact the applicant's attorney at the phone number listed below.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,  
NORRIS McLAUGHLIN & MARCUS, P.A.

By M. Marin  
Mark D. Marin  
Attorney for Applicant(s)  
Reg. No. 50,842  
875 Third Avenue - 18<sup>th</sup> Floor  
New York, New York 10022  
Phone: (212) 808-0700  
Fax: (212) 808-0844